THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.15053 of 2007

Dated: 16.07.2007

Between:
N. Vijaya Rao.

.... PETITIONER

AND

The District Co-operative Officer, Adilabad, Adilabad District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.15053 of 2007

ORDER

Assailing the proceedings dated 21.04.2007 of the 2nd and 3rd respondents, placing the petitioner, who is working as Salesman in the respondent-Society, under suspension, pending enquiry on the ground of mis-conduct and mis-utilization of the Society funds, the present writ petition is filed.

2. The main contention of the learned counsel for the petitioner is that even though the petitioner has given explanation to the notices issued by the respondents, the respondents, without considering the said explanation, passed the impugned suspension orders. He, thus, prays to set aside the impugned suspension order, and direct the respondents to take him into duty.

3. In the instant case, the petitioner is alleged to have mis-utilized the funds of the Society. Whether the petitioner has mis-utilized the funds of the Society or not is a matter of enquiry. The law is well settled that suspension of an employee pending enquiry is not a punishment, but is made to ensure a free, fair and impartial enquiry, and normally this Court does not interfere in the matter of suspension. In the circumstances, it is not proper for this Court to interfere with the impugned suspension order.

4. However, the petitioner is directed to submit a detailed

representation to the impugned suspension order, and on submitting such representation, the respondents shall consider the same and pass appropriate orders thereon, expeditiously.

4. With the above direction, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 16.07.2007
sj